

REMARKS/ARGUMENTS

Favorable reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

Claims 1-16, 18 and 30-51 are pending in this application. By this amendment, Claims 1, 10 and 30-32 have been amended; and Claims 17 and 38 have been canceled. It is respectfully submitted that no new matter has been added.

In the outstanding Office Action, Claims 30 and 31 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tahara et al. (PCT Document WO00/46989, hereinafter “Tahara”); and Claims 1-18 and 32-51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tahara further in view of Applicants’ admitted prior art. The Advisory Action mailed August 20, 2008 indicates that the claim objections and rejections under 35 U.S.C. § 112 are withdrawn in view of the amendment and remarks filed July 29, 2008.

Each of the independent Claims 1, 10, and 30-32 recites “said additional information [including (Claims 1 and 32) or includes (Claims 10, 30 and 31)] a predetermined condition when said time-series information is retrieved” and further recites that said additional information and said management information are next to each other on said recording medium in at least one of logical and physical positions. It is respectfully submitted that these features are neither anticipated by nor rendered obvious by Tahara, Applicants’ FIGs. 9A and 9B or the combination thereof.

The Office Action asserts that “Tahara discloses … said management information and said additional information being recorded next to one another in at least one of logical and physical positions (see Figure 20, 21 and 26).”

The Advisory Action mailed August 20, 2008 further asserts:

As for the limitation of “being recorded in at least one of logical and physical positions next to each other”, Tahara discloses the syntax to be used by the MPEG encoder,

illustrated in detail in figures 10-25 and in an “easy-to-understand form” in figure 26 (see col. 11, line 51 -col. 12, line 2), wherein the syntax of the data structure associated with said management information and the syntax of the data structure associated with said ancillary data are next to each other (see element 242 next to element 243 in figure 26, and the syntax shown in figure 14 wherein the syntax of the data structure associated with said management information and the syntax of the data structure associated with said ancillary data are encoded next to each other). It is noted that Tahara discloses that the syntax used by the encoder is “obtained by omitting the conditional statements” shown in figures 10-25 (see col. 11, line 66 - col. 12, line 2).

Applicants respectfully disagree.

Referring to Tahara U.S. Patent No. 6,671,323 B1 in concert with the Office Action, U.S. Patent Tahara describes “[s]uch ancillary data includes, but is not limited to, text data, closed-captioning data, VITC (vertical interval time code) defined by SMPTE RP164, and LTC (linear time code) defined by RP196.” Tahara further describes “the ancillary data separating circuit 101 extracts the unique information possessed by input video data.”

Referring to Fig. 21, cited in the Office Action, Tahara describes in column 16, lines 63 column 17, line 1:

Now the syntax of Ancillary_data() that adds identifiers to ancillary data will be described with reference to FIG. 21. Ancillary_data(), which is inserted as user data in the picture layer, includes a field identifier (Field_ID), a line number (Line_number), and ancillary data.

Finally, Tahara shows the upper most line output from controller 405 in FIG. 31 as including ancillary data, line number, field ID, time code 1 and time code 2.

Further, in the output of the upper line of controller 405 in Fig. 31 Tahara intermixes auxiliary data with line number, field ID, time code 1 and time code 2. Thus, there is no description in Tahara that additional information including a predetermined condition when said time-series information is retrieved being recorded in a logical or physical position next

to management information for use in a decoding/reproduction process for decoding and reproducing said time-series information as recited in independent Claims 1, 10 and 30-32.

It is respectfully submitted that the Advisory Action has misdescribed and misinterpreted the disclosure of Tahara. FIG. 26 of Tahara is a simplified figure for understanding of the embodiments. However, the precise data syntax of the user data 240 of FIG. 26 is shown in FIG. 15. FIG. 15 clearly shows that bit string 06 Video Index is positioned between bit string 05 Picture Order and bit string 07 Ancillary data. That is, the Ancillary data of Tahara is separated from the management data including bit strings 01-05 by Video Index of bit string 06. Therefore, Tahara does not describe management information and additional information being in a logical or physical position next to each other. Rather, Tahara describes the management information and additional information being separated from one another by bit string 06 Video Index.

Therefore, Tahara fails to describe additional information including a predetermined condition when said time series information is retrieved as recited in Claims 1, 10 and 30-32 and Tahara fails to describe management information and additional information being recorded in at least one of logical and physical positions next to each other as recited in Claims 1, 10 and 30-32.

It is respectfully submitted that dependent Claims 2-9, 11-16, 18, 33-37 and 39-51 are patentable at least for the reasons argued above with regard to the claims from which they depend.

Accordingly, withdrawal of the rejections of Claims 1-16, 18, 30-37 and 39-51 is respectfully requested, and allowance of Claims 1-18 and 30-51 is respectfully requested.

Consequently, for the reasons discussed in detail above, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below-listed telephone number.

Respectfully submitted,

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